

EPA PROPOSED FINAL PLAN
FOR RESIDENTIAL SITES
WEST CHICAGO, ILLINOIS

EPA Region 5 Records Ctr.



200903

ORIGINAL

REPORT OF PROCEEDINGS had at the
meeting of the above-entitled cause held at West
Chicago City Hall, 475 Main Street, West
Chicago, Illinois on Tuesday, the 29th of July
2003 at 7:00 p.m.

ATTENDEES:

Rebecca Frey, US EPA Region 5
Remedial Project Manager;
Thomas Williams, Project Manager ^{Illinois} EPA;
Stuart Hill.

R. Frey

Reported by: Linda Shaner Day, CSR

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312 345-1500

1 MS. FREY: Welcome again. We're here to
2 discuss EPA's proposed plan for the residential
3 area site. It's one of four Kerr-McGee sites in
4 the West Chicago area. We've done an extensive
5 investigation of the site, and as most of you
6 know, we've cleaned up almost all of the
7 properties that need to be cleaned up. We'll go
8 through the specifics later.

9 We're here to discuss the proposed
10 plan which is EPA's proposed final plan for the
11 site.

12 And what happens is we're in a formal
13 public comment period right now. There's a
14 30-day public comment period that started on
15 July 10th and runs through August 11th.

16 We will accept oral comments tonight.
17 We have a court reporter here recording your
18 comments, if you wish to give some later in the
19 evening.

20 You can submit written comments.
21 There's a comment sheet inside this fact sheet
22 that we'll have extra copies of in a moment.
23 But you can write your comments down and give
24 them to us tonight. You can write them down

1 later and mail them to us. You can fax us your
2 comments. You can e-mail comments. All the
3 information on how to do that is in the fact
4 sheet.

5 So comment by -- August 11th is the
6 deadline. EPA will then consider all the
7 comments that it receives and then make a final
8 decision for the site.

9 My name is Rebecca Frey or just call
10 me Becky. That's fine. I'm the EPA project
11 manager. I've been on the site for probably
12 about ten years. I've known some of these
13 people here for about ten years. It's good to
14 see some new faces.

15 And what I'm going to do -- if you can
16 go to the next slide please. Can we dim the
17 lights a little bit? That's good.

18 I want to present a brief history of
19 the site, present a summary of our remedial
20 investigation, which is our investigation of the
21 site and trying to find the extent of
22 contamination, describe the ongoing cleanup
23 that's been going on for several years, and then
24 lastly, describe a proposed plan for the site.

1 As I mentioned, this is an opportunity
2 for public participation. We're in the middle
3 of a public comment period, and we'll accept
4 comments on the plan through August 11th.

5 EPA will consider all the comments and
6 we will prepare a written -- what's called a
7 responsiveness summary where we respond in
8 writing to all the comments we received. And
9 that will be included in the record of decision
10 which is EPA's final decision document for the
11 site.

12 And as I mentioned before, we'll
13 consider all the comments. And what we decide
14 may be modified based on the comments we
15 receive.

16 The residential area site includes
17 over 2000 properties -- the exact number is up
18 on the slide -- located both inside the city
19 limits and outside the city limits in
20 unincorporated areas of the city. It consists
21 primarily of residential properties, but also
22 includes other types of properties like schools,
23 businesses, actually some industrial properties
24 as well.

1 Site history: The residential area
2 sites became contaminated by two mechanisms.
3 There was a facility, as most of you know,
4 what's now the Kerr-McGee facility, that's
5 closed, but it operated from 1932 to 1973.

6 And I'm sure during a certain period
7 of time anyway there was wind-blown
8 contamination from the facility onto neighboring
9 properties.

10 And then the second main mechanism is
11 use of thorium materials as fill material. The
12 material was free to anyone who wanted to use
13 it, and people used it to landscape their yards.

14 A little more site history. During
15 the mid 1980s, Kerr-McGee and the city of West
16 Chicago conducted a voluntary cleanup at the
17 site using a different cleanup standard than the
18 one EPA is using now, but they cleaned up the
19 most highly contaminated materials within the
20 city limits. And I believe it was about 117 or
21 116 properties had some cleanup done during the
22 mid '80s.

23 However, there was other contamination
24 that was not cleaned up.

1 EPA placed the residential area site
2 on what's called the National Priorities List.
3 That's commonly known as the superfund list.
4 It's a list of hazardous waste sites across the
5 country. And that was done in 1990.

6 In 1993 EPA established cleanup
7 standards for the residential area site, and
8 there was an opportunity for public
9 participation and public comments on the cleanup
10 criteria.

11 And then also around that same time
12 EPA decided, based on the size of the site and
13 knowing that there were limited cleanup options,
14 we decided to speed up the cleanup of the site
15 using EPA's removal authorities.

16 So as a result, we conducted what's
17 known as an EECA, E-E-C-A, that's short for an
18 Engineering Evaluation Cost Analysis.

19 And essentially this document and
20 study evaluates different removal, cleanup
21 options and selects the best option.

22 So that was conducted in 1994. And
23 then the removal action actually started in
24 1995.

1 EPA's remedial investigation, the
2 study of the site, began -- our field work began
3 in 1994, And this consisted of a radiation
4 walk-over survey at each property.

5 So every property that we studied got
6 a radiation walk- over of all the outside areas
7 of the property.

8 If we needed soil samples to further
9 decide whether the property was contaminated or
10 not, we might have taken soil samples at some
11 properties. And also in the early years of the
12 investigation, we conducted indoor surveys at
13 some properties, not because we thought there
14 might be contamination inside, but as a way to
15 help determine if there was any contamination
16 outside the basement walls or beneath the floor.

17 EPA's original site study area was
18 based on a 1989 aerial flyover of the city.
19 This was done by using helicopters, I believe,
20 that flew back and forth across the city with
21 very sensitive radiation detection instruments
22 inside the helicopters.

23 So from the air, they identified areas
24 of elevated radioactivity shown by the green

1 areas on that figure.

2 So EPA decided to start there and
3 include every property that was within those
4 areas, and that amounted to approximately 1300
5 properties.

6 Then to kind of make sure we weren't
7 missing anything, EPA had what's called a
8 scanner van come here from Las Vegas to test
9 other areas of the city that weren't already in
10 our study area.

11 We had it come here two different
12 years. In 1995 the scanner van tested areas
13 south of Hawthorne Lane which -- well, it's kind
14 of midway on the map. It's that east-west
15 street. You probably know where it is.

16 South of Hawthorne Lane was tested in
17 1995 and north of Hawthorne Lane was tested in
18 1996.

19 The scanner van did find some what we
20 call anomalies, elevated areas of radioactivity,
21 during the 1995 surveys, but it did not find any
22 north of Hawthorne Lane.

23 Okay. Here's a picture of the scanner
24 van. It's a modified commercial delivery van.

1 Again, similar to the helicopters that did the
2 fly-over survey.

3 It has sensitive radiation detection
4 instruments inside that kind of look out the
5 right side of the van.

6 The van drives slowly up and down all
7 the city streets, and there's a strip chart
8 recorder inside that's recording gamma radiation
9 levels. And so the person there in the slide on
10 the right is writing down addresses as the other
11 person is calling out addresses if they saw
12 elevated gamma -- elevated radiation.

13 So the scanner van identified a number
14 of anomalies. And as a result, those got
15 included in EPA's study area.

16 So in 1998, based on the scanner van
17 findings and other information that EPA had
18 received from the city of West Chicago and from
19 the State of Illinois, the Illinois Department
20 of Nuclear Safety, we expanded the study area
21 quite significantly to include many more
22 properties, predominantly on the north side of
23 town, but in other areas as well.

24 The expanded site study area ended up

1 consisting of 2,174 properties.

2 The city of West Chicago
3 information -- before the city conducts
4 construction projects, if EPA hasn't already
5 tested the area, then the city scans the area to
6 make sure there's no contamination there. And
7 the Illinois Department of Nuclear Safety
8 also -- if people's homes are located outside
9 the study area and you want your property
10 tested, they would test the property.

11 So if they found anything, we
12 incorporated all that into our decision on how
13 to expand the study area.

14 Next slide. So you can kind of see
15 the comparison on this slide between the
16 original and the expanded study area. You can
17 see it's a lot larger on the north side of town.

18 The part on the south end that we
19 removed the green shading is part of the Kress
20 Creek superfund site and isn't really part of
21 the residential area site.

22 So based on EPA's testing, we would
23 take the results from a property -- and the map
24 on the left is an example map from a particular

1 property.

2 The gray shading indicates areas of
3 contamination. The circles on the map show
4 areas where EPA collected soil samples. And if
5 they're shaded gray, that meant the soil sample
6 was above EPA's cleanup standard, so that area
7 is contaminated.

8 And then the map on the right is an
9 example of results for an entire city block.
10 And actually the property on the left is that
11 property on the right, but it's turned 90
12 degrees so it doesn't quite look the same.

13 So based on EPA's testing, there were
14 2,174 properties on our study area. To date,
15 we've tested all but three of those properties,
16 and we're working on getting access to those
17 three so we can test those as well. We found
18 676 of the properties to be contaminated.

19 So I mentioned earlier that we started
20 removal action in 1995. The steps in the
21 removal action are that EPA identifies the
22 contaminated properties, passes that information
23 on to Kerr-McGee. Kerr-McGee then contacts the
24 owner or does some additional testing of the

1 property and designs the actual cleanup of the
2 property.

3 The owner and Kerr-McGee then meet
4 again to go over the specifics of how the
5 property will be cleaned up and restored and
6 Kerr-McGee and the owner sign what's called a
7 work order that has all the details of how the
8 property cleanup will be done.

9 Then Kerr-McGee digs up the
10 contaminated soil from the property. EPA then
11 requests IDNS, the Illinois Department of
12 Nuclear Safety, to go in and test the property
13 to verify that the cleanup standards were met.

14 Once the standards are met, EPA gives
15 Kerr-McGee authorization to backfill and restore
16 the property. And Kerr-McGee then does that.

17 I've got some slides next that show
18 some actual cleanup.

19 This was during the first year of
20 cleanup. This just shows the property in the
21 process of being excavated. Contaminated soil
22 is being removed. Next.

23 This just shows some of the Kerr-McGee
24 crews actually doing the cleanup work. And the

1 worker on the right actually -- it's hard to
2 see, but he's keeping the soil moist using a
3 garden hose to keep the soil wet to reduce dust.

4 Next. And then this is IDNS
5 conducting soil sampling verification testing.

6 And then after the cleanup standards
7 are met, this shows Kerr-McGee backfilling,
8 bringing in clean soil, backfilling the property
9 and then restoring and relandscaping the
10 property.

11 And this is that same back yard from a
12 different angle. It shows the owner enjoying
13 the nicely landscaped back yard.

14 This is another property just during
15 cleanup and the next slide is after restoration.

16 So that's happened at 600 -- well,
17 I'll get to that in a minute. I'm getting ahead
18 of myself.

19 So the removal action began in the
20 spring of 1995. We expect it to be completed
21 this year.

22 670 of the 676 contaminated properties
23 have been cleaned up, so we still have a few to
24 go. We're hoping to finish those this year.

1 Over 110,000 cubic yards of
2 contaminated soil have been removed. And that's
3 just a little under what was removed at Reed
4 Keppler Park, if any of you are familiar with
5 that cleanup as well.

6 When the cleanup is done, Kerr-McGee
7 is required to submit to EPA a final removal
8 action report that will have all the details of
9 the cleanup in that report.

10 So EPA's remedial's investigation,
11 based on everything we found and the cleanup
12 that's been ongoing, is that the removal action
13 is meeting our cleanup standard which is 7.2
14 picocuries per gram. And that cleanup standard
15 is considered protective of human health in the
16 environment.

17 During the verification activities
18 that have occurred at the 676 properties that
19 were cleaned up so far, IDNS collected over 2600
20 samples. And the average of those samples was
21 2.9 picocuries per gram, which is way, way below
22 7.2 which is a good thing.

23 And more information is available in
24 the remedial investigation report which is

1 available if anyone wants to see it.

2 So the proposal plan that EPA is
3 proposing for the site is based on the fact that
4 the ongoing cleanup is achieving protective
5 levels.

6 We're proposing that after the cleanup
7 is done that no further action be taken at the
8 site.

9 So as I mentioned earlier, there's an
10 opportunity here for community participation.

11 Immediately following my presentation,
12 we'll just have a question-and-answer session.
13 If anybody has questions, I'll try to answer
14 them as best as I can.

15 Then when we're done with the question
16 and answer, we'll go into a formal public
17 comment. We'll accept your public comments. If
18 you want to just say something for the record,
19 the court reporter will take it down. I won't
20 respond. It's just we're accepting comments,
21 not actually answering questions.

22 As I mentioned, we'll accept comments
23 in writing through August 11th.

24 The administrative record, which is

1 the official documents that EPA base this
2 proposed plan on, is available in EPA's offices
3 in downtown Chicago if anyone is interested in
4 looking at that.

5 There's also some information
6 available in the local information repository at
7 the West Chicago Public Library.

8 And I believe we're actually working
9 to get the entire administrative record instead
10 of all the documents, getting them on CD ROMS
11 and sent to the library so that they'll be
12 available to view on a computer screen.

13 The EPA community relations contact is
14 Stuart Hill who just got here.

15 MR. HILL: The first time I've ever been
16 late.

17 You know, I leave plenty of time to
18 get to places in Detroit and things like that.
19 You would think I'd have enough sense to make
20 enough allowances in my own back yard, but I
21 couldn't even anticipate the whole of 88 turning
22 into a parking lot.

23 MS. FREY: Stuart's information is up here,
24 his e-mail address, his telephone number and his

1 street address. And that's also in this fact
2 sheet.

3 So if you want to send public comments
4 to him or to me -- I'm on the next slide.
5 That's my information. I'm also -- that's all
6 listed in the fact sheet. Okay. Next.

7 I added this slide in case there's
8 anyone here who wants their property tested but
9 is not located within the EPA study area.

10 If you do want your property tested,
11 you can contact the Illinois Department of
12 Nuclear Safety which now actually has a
13 different name, but I'm going to call it IDNS
14 forever.

15 MR. ALLEN: We still answer the phone
16 IDNS. We're confused, too.

17 MS. FREY: It's Tim Runyon. His
18 telephone number is listed there. And if you
19 write it down and lose it, just contact me. I'm
20 always in that fact sheet and I can give you the
21 number.

22 Okay. So now we're going into
23 questions. And then when we're done with
24 questions and answers, then we'll have just

1 acceptance of oral comments.

2 So any questions? Yes.

3 MR. VAN WINKLE: You said that there were,
4 according to the figures, 676 contaminated
5 properties that were cleaned up, six yet to go.

6 MS. FREY: 670 of the 676 have been cleaned
7 up.

8 MR. VAN WINKLE: Correct. Right.

9 So there's six to go.

10 MS. FREY: Right.

11 MR. VAN WINKLE: I'm just curious. Are
12 those houses, you know, residential lots,
13 businesses, and is there a particular reason
14 that these six are hanging in the breeze?

15 MR. HILL: Excuse me, sir. While she's
16 thinking of that, could you identify yourself,
17 please, for the record?

18 MR. VAN WINKLE: Yes. Rex VanWinkle.

19 MR. HILL: Thank you.

20 MS. FREY: I think -- off the top of my
21 head, I think three are residences. One is
22 actually along a storm sewer, beneath a road,
23 under a railroad track.

24 MR. VAN WINKLE: Okay.

1 MS. FREY: One is in a little area near the
2 road at Manville Oaks Park outside the city.
3 And one is in a rail yard, a huge rail yard that
4 only railroad employees are allowed inside.

5 So it's 50/50.

6 MR. VAN WINKLE: Okay. So there's always a
7 few that are really in a place that is really
8 hard to get to?

9 MS. FREY: Yeah.

10 MR. VAN WINKLE: Okay.

11 MS. FREY: Now, the second part of your
12 question as to why we haven't done those yet,
13 the three residences, we're having some
14 discussion with the owners.

15 MR. VAN WINKLE: Okay.

16 MS. FREY: So it's kind of like some of
17 them have attorneys involved because they have
18 some issues, you know.

19 One property owner actually doesn't
20 want it cleaned up, so we're dealing with that.

21 MR. VAN WINKLE: Can I then ask, does that
22 owner have to have it cleaned up or is that a
23 question yet to be answered?

24 MS. FREY: We think it's in the best

1 interest of everyone -- and future people who
2 live there -- that it be cleaned up.

3 MR. VAN WINKLE: Okay.

4 MS. FREY: I know that the city has always
5 supported and TAG has always supported -- the
6 Thorium Action Group is TAG -- has always
7 supported cleaning up the property.

8 So we're really working to get all the
9 properties cleaned up.

10 MR. VAN WINKLE: If I could ask another
11 question.

12 In one of your slides you mentioned
13 that you will be done this year.

14 MS. FREY: We're hoping to be done, yes.

15 MR. VAN WINKLE: Hoping to be done this
16 year.

17 Could you elaborate on being done this
18 year what that means?

19 MS. FREY: Being done with the six
20 properties that still need to be cleaned up,
21 getting those actually cleaned up.

22 MR. VAN WINKLE: Okay. So maybe I should
23 ask this question. Your statement of hoping to
24 be done this year is cleaning the dirty

1 property, if I can put it like that. Okay?

2 Then restoration is not included in that for the
3 site -- for the Kerr-McGee site? That's not
4 included in your being done this year?

5 MS. FREY: Yes, it is.

6 MR. VAN WINKLE: Is it?

7 MS. FREY: But depending on when this
8 year --

9 MR. ALLEN: Are you talking about the
10 factory site, sir?

11 MR. VAN WINKLE: Yes.

12 MR. ALLEN: No.

13 MS. FREY: Residential.

14 MR. VAN WINKLE: Right. Outside the
15 property cleanup. That's what you're hoping to
16 be done with this year?

17 MS. FREY: Yes.

18 MR. VAN WINKLE: Okay.

19 MS. FREY: Now, there were some properties
20 right near the factory site that had some
21 additional cleanup as part of the Kerr-McGee
22 facility because it was a different contaminant.

23 MR. VAN WINKLE: Yes.

24 MS. FREY: You know about that?

1 MR. VAN WINKLE: Yes.

2 MS. FREY: I'm not dealing with that and
3 that's not part of this --

4 MR. VAN WINKLE: Okay, yeah.

5 MS. FREY: Let me get somebody else.

6 MR. VAN WINKLE: But as far as the "being
7 done," your being done is the fact that you want
8 all the outside properties cleaned?

9 MS. FREY: Cleaned up and restored.

10 MR. VAN WINKLE: And restored.

11 MS. FREY: But sometimes if the
12 restoration -- if the cleanup is finished late
13 in the year, restoration --

14 MR. VAN WINKLE: Might not be done
15 until later.

16 MS. FREY: Certain plantings have to be
17 done the following year.

18 MR. VAN WINKLE: But this does not include
19 the Kerr-McGee factory property?

20 MS. FREY: Correct.

21 MR. WELCH: Any idea when that might be
22 finished?

23 MS. REPORTER: Your name, please?

24 MR. WELCH: John Welch. I live on Brown

1 Street. We all do.

2 MS. FREY: Okay. There's a representative
3 here sitting right in front of you actually from
4 Kerr-McGee.

5 But what I've been told is the cleanup
6 of the contamination should be completed this
7 year. But then next year there will be
8 additional restoring, backfilling, restoring the
9 property. And I also should mention the one
10 remaining site, except for the Kerr-McGee
11 facility, the one remaining superfund site that
12 still needs to be cleaned up is the Kress Creek
13 site.

14 It's my understanding that a portion
15 of the Kerr-McGee facility will be left
16 available to handle the material that comes from
17 that site so that it can be put on trains and
18 shipped out to Utah.

19 MS. KIFER ASSIAN: And the waste water
20 treatment plant is another --

21 MS. MAGEL: There is an area on the factory
22 site that is used for waste water treatment and
23 there's an area that will be used for train
24 shipment of materials. Those areas are

1 available to Kerr-McGee into the future for as
2 long as they're needed.

3 MS. FREY: You had a question.

4 MS. STIBAL: Back to the residential
5 properties you haven't gotten permission from
6 yet, do you, as a government entity, have
7 jurisdiction to override them and force the
8 cleanup?

9 MS. FREY: Okay. There's the six that we
10 haven't cleaned up yet and there's also the
11 three that we haven't tested.

12 MS. STIBAL: Okay.

13 MS. FREY: For the three that we haven't
14 yet tested, we do believe it's very important to
15 find out if there's contamination there or not.

16 We are working right now on getting
17 access to those three properties.

18 MS. STIBAL: I know you believe it's
19 important and it's in the best interest, but do
20 you have --

21 MS. FREY: And we --

22 MS. STIBAL: -- jurisdiction to override
23 them and force the cleanup, force the testing
24 that hasn't been done yet?

1 MS. FREY: We believe we do have that
2 authority, yes, under the superfund law. It's
3 called -- well, the Comprehensive Environmental
4 Response Compensation and Liability Act.

5 MS. STIBAL: Okay. And then --

6 MS. FREY: There's actually EPA attorneys
7 here, too, so it --

8 MS. FULGHUM: We dressed in black
9 so we --

10 MS. STIBAL: And then is there a time frame
11 by which you need to operate to get that cleanup
12 done?

13 MS. FREY: Well, as I said, we're hoping to
14 get the cleanup done this year, so --

15 MS. STIBAL: I know you're hoping --

16 MS. FREY: And we're working on those.

17 MS. STIBAL: -- but is there a time frame
18 that you're set to complete or, you know, it
19 expires --

20 MR. WELCH: Take action against them.

21 MS. MAGEL: There is no drop-dead date that
22 if they haven't done this by X date, they no
23 longer have authority.

24 MS. FREY: Right.

1 MS. MAGEL: The authority is continuous.

2 MS. FREY: And some of them are in
3 different stages where we're just starting
4 discussions with some of the owners and we're
5 further along with other owners.

6 So they're not all on the same
7 schedule.

8 MS. STIBAL: Okay. And if they aren't
9 cleaned up by your time frame -- this might be a
10 question more for the city -- do you or the city
11 have a right to inform future property owners in
12 terms of that this is a site that was never
13 cleaned up? And if you buy this property, you
14 should be aware of this through disclosure?

15 MS. FREY: Yes, we do have that authority.

16 MS. STIBAL: To put that on that property?

17 MS. FREY: And, in fact, we don't complete
18 the cleanup -- like I said before, we're hoping
19 to complete all those properties this year.

20 But if for some reason we don't, we
21 will still continue -- I mean, just because this
22 year ends doesn't mean okay, we're done.

23 MS. STIBAL: So in essence, if it doesn't --
24 if these properties don't get cleaned up, they

1 don't grant you permission to test or clean up,
2 the cleanup will fall on the next property
3 owner, I would assume, or the city, whoever buys
4 that property, and if they want to buy it clean
5 or not cleaned.

6 MS. FREY: Let's say for some reason we
7 can't get permission to clean up the property
8 and, you know, we tried legal routes to get
9 access to clean up the property. And let's say
10 for some reason that fails.

11 We would -- correct me if I'm wrong
12 over there -- we would, as you mentioned, put
13 some kind of notice on the deed or something to
14 note that future people would know before they
15 bought the property that this property was
16 contaminated.

17 So there would be some kind of a
18 notice, which I think would really hamper that
19 current owner's ability to sell the property.

20 So that's a good reason to get the
21 property cleaned up now.

22 I don't know, did I answer your
23 question sufficiently?

24 MS. STIBAL: Yep.

1 MS. FREY: Nancy?

2 MS. KIFER ASSIAN: I know from what you
3 said and from experience with you and as an
4 alderman and a representative of the people of
5 West Chicago that EPA is doing everything in
6 their power to work with these people.

7 But I want to reiterate on behalf of
8 the city of West Chicago, and I feel confident
9 doing this, that we have to consider what's good
10 for the health, safety and welfare of all of
11 West Chicago and property values of all of West
12 Chicago and present and future citizens of West
13 Chicago.

14 So in light of that, we do support
15 what EPA has to do to do this. And we do not
16 wish anyone to have to go to Federal Court --
17 and that hasn't been said here, but I believe
18 that would be a possibility.

19 We don't want that to happen. We want
20 to work with people.

21 And as people have seen from the
22 numbers of sites investigated and contaminated
23 properties and how many have been cleaned up,
24 most people understand that when educated about

1 it and when, you know -- and have worked with
2 EPA and the city of West Chicago.

3 But I feel very, very strong as a
4 representative of the people that I will
5 support, to the last property, the necessity of
6 having that property cleaned up.

7 I would hope that if the present owner
8 doesn't give consent for the cleanup, that as
9 long as Kerr-McGee and the EPA are involved
10 within West Chicago that we can still get that
11 property added.

12 It's not the property owner paying for
13 the cleanup and, hopefully, it won't be the
14 future property owner paying for the cleanup,
15 you know, if it's done properly.

16 I mean, we are facing a waste water
17 treatment plan, Kress Creek and the DuPage River
18 and the rest of the factory site eventually.

19 So we are several more years on this.
20 I know we all wish it was yesterday, including
21 myself. But we want to make sure this gets done
22 right once and for all so we don't have to go
23 back and go through this again like we did with
24 the '84 and '85 cleanup.

1 But I wanted to say that on behalf of
2 West Chicago.

3 I want to say that I know for a
4 fact -- I have sat in on many of these -- on the
5 tests, on the compliance meetings, on the
6 restorations, and I must say on above of the
7 city of West Chicago and on behalf of the
8 Thorium Action Group, we have been -- even
9 though we all wish it were done yesterday, we
10 are very, very pleased. And I've even taken
11 Speaker of the House Hastert to see some of the
12 restoration.

13 And most people, even those who were a
14 little skittish at first or who didn't
15 understand, once they understood and once they
16 saw the length to which EPA and IDNS and
17 Kerr-McGee have gone to to work with people have
18 given consent. And the restoration has been
19 even better maybe than their property was
20 before.

21 So I feel very confident in assuring
22 people that if there's anyone here that is one
23 of those people.

24 MS. FREY: One other thing I wanted to add

1 about future contamination, you know, as many as
2 we studied, a huge area of West Chicago, there's
3 still the possibility that there's some
4 contamination out there that we didn't find. I
5 mean, that's just the way it is. That's a
6 distinct possibility.

7 So, Barbara, correct me if I'm wrong
8 here, but I believe that the city of West
9 Chicago has an agreement with Kerr-McGee that
10 extends into a certain point in the future, that
11 if the city finds anything, that Kerr-McGee is
12 responsible for cleaning that up.

13 MS. MAGEL: Right. Well, we have an
14 agreement on what are called undiscovered
15 properties which are basically properties within
16 the city, if they're discovered to be over the
17 7.2 limit, Kerr-McGee has agreed they will
18 address those.

19 MS. FREY: Okay.

20 MR. BAHMANN: How long has the --

21 MS. REPORTER: Identify yourself, please.

22 MR. BAHMANN: Sorry. Robert Bahmann.

23 How long will the rail siding be as an
24 active rail siding? Also, you mentioned there's

1 a sewer line that runs underneath where
2 Roosevelt Road is contaminated.

3 Is that, in fact, the sewer line that
4 you referenced?

5 MS. FREY: No.

6 Your first part of the question about
7 the rail siding, are you talking about the rail
8 siding on the Kerr-McGee facility?

9 MR. BAHMANN: Yes.

10 MS. FREY: Dave, do you know the answer to
11 that?

12 MR. JEDLICKA: Well, we should be done
13 shipping this year, and it will probably remain
14 on site until the west branch, Kress Creek is
15 done. That's the plan now.

16 MS. FREY: So the current shipping from
17 residential areas and the Kerr-McGee facility
18 should be done this year, but it will stay
19 active until the cleanup of the creek is done.

20 MR. BAHMANN: Okay.

21 MS. FREY: And then the second part of your
22 question is the sewer line that runs under
23 Roosevelt Road into the creek, is that the storm
24 sewer? No.

1 There is actually -- I don't believe
2 there's any contamination in that.

3 We actually sampled in there. It's
4 scoured clean. It's actually an inactive storm
5 sewer line elsewhere in the city that's got some
6 contamination inside the pipe.

7 MR. BAHMANN: One other question.

8 MS. FREY: Yes.

9 MR. BAHMANN: You mentioned that the cleanup
10 level is 7.2 picocuries.

11 What is the normal standard background
12 radiation?

13 MS. FREY: Background is 2.2 picocuries per
14 gram. And the cleanup standard is based on both
15 a state and Federal regulation that say the
16 cleanup standard should be 5 picocuries per gram
17 above background.

18 So 5 plus 2.2 is how we got to 7.2.

19 MR. BAHMANN: Okay. Thanks.

20 MS. FREY: Yes.

21 MR. HOLCOMBE: Howard Holcombe.

22 Will individual property owners be
23 given a letter that they can show a potential
24 purchaser of their property that it's clear?

1 MS. FREY: Yes. And, actually, I owe you a
2 letter.

3 I apologize. I haven't gotten that to
4 you.

5 MR. HOLCOMBE: Okay.

6 MS. FREY: Dave did pass that message on to
7 me.

8 MR. HOLCOMBE: Thank you.

9 MS. FREY: And I admit, I am a bit behind
10 in sending some of those letters out.

11 MR. WELCH: What happened to our little
12 newspaper or pamphlets that we used to get that
13 would say, you know, they were doing this on the
14 site?

15 Carmen would walk them around. You
16 know, I know that staff has been cut and
17 everything like that, you know, we miss -- you
18 know, we almost missed this meeting if Rex over
19 here hadn't said anything about it because there
20 was a little ad in the paper.

21 MS. FREY: Dave, could you handle this one?

22 MR. JEDLICKA: Dave Jedlicka with
23 Kerr-McGee.

24 We were distributing action

1 newsletters in the neighborhood when we were
2 actually doing work so everybody could know what
3 was going on.

4 Since we're not doing any work in the
5 neighborhood we just quit. We're done.

6 MS. FREY: Rex.

7 MR. VAN WINKLE: Kind of on John's
8 question, the purpose of your meeting tonight is
9 to answer questions and discuss basic -- like I
10 said before -- off-site cleanup and how that's
11 going. Okay?

12 MS. FREY: Yes.

13 MR. VAN WINKLE: Is this meeting tonight
14 then also the proper place to discuss the
15 Kerr-McGee site and what's going to happen to it
16 and some of the very close projects to the
17 factory site that are upcoming?

18 Or maybe that's not part of your
19 responsibility. If you want me to elaborate --
20 you know, the general cleanup, for instance the
21 rail spur -- Dave says the rail spur will be
22 there until basically Kress Creek is cleaned. I
23 don't know how long that's going to take are.

24 MS. FREY: I can answer that one.

1 MR. VAN WINKLE: Okay.

2 MS. FREY: Kress Creek, EPA, Kerr-McGee and
3 the city of West Chicago and other local
4 communities are all working very hard to get the
5 cleanup of the creek started next year.

6 Now, I'm not promising that's going to
7 happen, but we're all working very hard to make
8 that happen.

9 MR. VAN WINKLE: Get it started next year?

10 MS. FREY: Started in 2004. And I believe
11 it's three -- well, a three- to four-year
12 cleanup based on what I know right now.

13 MR. VAN WINKLE: So that leads me to
14 believe after next year the rail spur will be
15 there three to four years?

16 MS. FREY: Yes.

17 MR. VAN WINKLE: So that means that that
18 area, the old factory site, will not be --
19 nothing will be done with that until the rail
20 spur is removed and that's four or five years
21 down the road yet?

22 MR. WELCH: Actually we won't get Factory
23 Street --

24 MR. VAN WINKLE: And Factory Street won't

1 be put back in?

2 MS. FREY: I don't know that.

3 MR. JEDLICKA: Dave Jedlicka.

4 Factory Street is on the plans for
5 next year.

6 MR. VAN WINKLE: To put it back in so that
7 the other streets -- you know the streets.

8 MR. WELCH: So the garbage can be picked
9 up --

10 MR. JEDLICKA: We can get --

11 MR. VAN WINKLE: You can go back around --

12 MS. FREY: If we could hold -- I guess
13 maybe after the meeting we could talk more about
14 factory-type questions because I don't handle
15 that.

16 MR. VAN WINKLE: So the answer to my
17 question is, it's not your --

18 MS. FREY: Right.

19 MR. VAN WINKLE: That's not your area of
20 expertise?

21 MS. FREY: Right.

22 MR. VAN WINKLE: That's not what you're
23 responsible for?

24 MS. FREY: Right.

1 MR. VAN WINKLE: So this meeting is
2 concerning mainly off-site --

3 MS. FREY: And specifically the
4 residential cleanup.

5 MR. VAN WINKLE: Residential off-site
6 cleanup?

7 MS. FREY: Yes.

8 MR. JEDLICKA: If you want to know some of
9 that stuff, I'll stop by next week. Something
10 like that.

11 MR. HOLCOMBE: Like when Brown Street is
12 going to be paved.

13 MR. VAN WINKLE: Well, you'll be involved
14 with that won't you, Becky?

15 If the street is dug up, will you be
16 involved with that?

17 MS. FREY: Not -- I think -- no.

18 MR. VAN WINKLE: No?

19 MS. FREY: Because it's not going to be dug
20 up for contamination.

21 We already cleaned up all the
22 contamination in the street that we knew of and
23 we had investigated.

24 MR. VAN WINKLE: So the replacement of the

1 water and sewer lines won't involve you then?

2 MS. FREY: No.

3 MR. VAN WINKLE: Or your group?

4 MS. FREY: Right.

5 MR. VAN WINKLE: Okay.

6 MS. FREY: I also wanted to just point
7 out -- I guess I should have done this earlier.

8 We have a representative here from the
9 Illinois Department of Nuclear Safety, Richard
10 Allen, who's been involved in the project for
11 quite a while.

12 Dave Jedlicka you've already been
13 introduced to.

14 And my slide turner up here is Tom
15 Williams from the Illinois EPA. He's the
16 project -- my counterpart, superfund project
17 manager for the State EPA.

18 MS. KIFER ASSIAN: And we also have legal
19 representation for West Chicago from Barbara
20 Magel and someone from the State's Attorney
21 Office.

22 MR. DOWNING: Tom Downing.

23 MS. KIFER ASSIAN: And I'm an alderman from
24 West Chicago and a member of the Thorium Action

1 Group, there are several other people
2 represented here too.

3 MS. FREY: Any other questions about
4 residential?

5 Yes.

6 UNIDENTIFIED SPEAKER: This is actually
7 directed to the city of West Chicago.

8 Are you actively seeking undiscovered
9 sites currently?

10 MS. KIFER ASSIAN: Outside the city limits?

11 UNIDENTIFIED SPEAKER: Within the city
12 limits.

13 MS. KIFER ASSIAN: No. Actually, we're
14 very satisfied with the way that EPA and IDNS
15 have done it.

16 But anyone who wants their property
17 tested to the levels that she's described can
18 request from Tim Runyon, IDNS to do that.

19 But we're definitely not looking
20 beyond West Chicago.

21 Actually, the scan van did go out to
22 our borders, I believe.

23 MS. FREY: Yeah.

24 MS. KIFER ASSIAN: That has been advertised

1 before and I will say it again.

2 The city of West of Chicago, of course
3 working with Tim Runyon of IDNS, would of course
4 entertain testing any site that has not been
5 tested yet.

6 MS. FREY: Mike.

7 MR. KASIEWICZ: Mike Kasiewicz, Thorium
8 Action Group.

9 So we're looking -- we have six
10 properties that have yet to be cleaned up, and
11 we have three properties we don't have access
12 to. So that's a total of nine properties,
13 correct?

14 MS. KIFER ASSIAN: No, six.

15 MS. FREY: Well, the three that haven't
16 been tested yet might be clean.

17 MR. KASIEWICZ: But the --

18 MS. FREY: We don't know.

19 MR. KASIEWICZ: -- potential is nine total
20 properties?

21 MS. FREY: Potentially, yes.

22 MR. KASIEWICZ: Which is -- I mean, that's
23 wonderful. This has been a long time coming.

24 Is there any reason that a no proposal

1 closure decision on residential cleanup can be
2 done before these potentially nine -- six
3 properties for sure -- potentially nine -- are
4 addressed?

5 MS. FREY: Good question. I should have
6 mentioned that.

7 Because of the way we've kind of
8 worded the proposed plan, we're saying that when
9 the removal action is done, no further action.

10 So we could sign that record of
11 decision today if it was ready to sign, because
12 it's not saying that we're done with the
13 cleanup.

14 It's saying that when the removal
15 action is done, then no further action. So we
16 could sign that document today saying this is
17 our decision. But we're still going to finish
18 the cleanup.

19 But when that cleanup is done, then
20 we're done.

21 MR. KASIEWICZ: So it can be signed
22 before --

23 MS. FREY: Yes. There's no reason why we
24 can't sign it before the cleanup is done, which

1 I think was your question. Right?

2 MR. KASIEWICZ: Right.

3 And what would prevent these other
4 properties then from slipping through the
5 cracks?

6 MS. FREY: Because we still have the
7 removal action and we have a -- you know, we
8 ordered Kerr-McGee to do the cleanup. They're
9 still under that obligation to complete that
10 cleanup.

11 Those are contaminated properties
12 we've identified that need to be cleaned up and
13 that continues.

14 MS. STIBAL: So the residential properties
15 that -- if by chance, don't get cleaned up,
16 would they become part of some other plan, site,
17 whatever, because you've cleaned up everything
18 and put an end to it residentially?

19 MS. FREY: No. We wouldn't put an end to
20 it.

21 MS. STIBAL: So there is no end to this
22 document that you're going to sign?

23 MS. FREY: No, the document we're going to
24 sign -- does anyone else --

1 MR. ALLEN: Here let me try it.

2 MS. FREY: Yes.

3 MR. ALLEN: The remaining properties are
4 part of this plan. And we're all here tonight
5 to discuss this plan. The record of decision
6 will implement this plan.

7 And as you've described in a number of
8 ways, getting the rest of the removal done is
9 part of this plan.

10 MS. STIBAL: What does done mean? What is
11 done -- when is the date it's done? Are you
12 setting a date?

13 MS. FREY: We're not setting a date. We
14 hope the date is sometime this year, but we're
15 not setting a deadline by which if we're not --
16 if we don't clean up those properties by a
17 certain date, we're not setting that kind of a
18 deadline, no.

19 MS. STIBAL: And even if it's five years
20 from now you've finally got permission for the
21 residences that are left, that's okay?

22 MS. FREY: I hope it doesn't take that
23 long.

24 MS. STIBAL: I mean, does that hold you back

1 in any way that you're not setting a date as a
2 governmental entity, whatever?

3 MS. FREY: I don't think so.

4 MS. STIBAL: Are you left hanging?

5 MS. FREY: Look, we don't want to drag this
6 thing on, you know.

7 And I mentioned earlier we're using --
8 you know, we're getting into legal mechanisms
9 trying to kind of force the issue with some of
10 these property owners.

11 MS. STIBAL: But it's been a number of years
12 since you started.

13 MS. FREY: Yes, but some of these we're
14 really just getting started on.

15 You know, you kind of do the easy ones
16 first.

17 MS. STIBAL: Okay.

18 MS. FREY: And now we're left with the hard
19 ones and now we're working on those hard ones.

20 MS. MAGEL: And also, it's been some years,
21 but they've cleaned up 670 properties which is a
22 huge undertaking.

23 MS. KIFER ASSIAN: And they've been
24 restored.

1 MS. MAGEL: Right. Cleaned up and
2 restored.

3 MS. FREY: And actually two of the six that
4 still need to be cleaned up, we just recently
5 found.

6 They were previously -- well, one of
7 them was previously one of the -- you know,
8 there were other properties we didn't have
9 access to to test, and we've gotten access to
10 some of those and found more contamination.

11 So, you know, we haven't been working
12 on those very long. We just recently found some
13 of those.

14 Nancy.

15 MS. KIFER ASSIAN: But the date of this
16 document is for the cleanup plan proposal. That
17 will have a date.

18 But the date of the cleanup goes until
19 they're done basically.

20 MS. FREY: Right.

21 The fact that we signed a record of
22 decision with implementing this proposal to take
23 no further action when we're done with removal
24 action, that will have a date when we actually

1 sign that document. But that doesn't set any
2 kind of a deadline.

3 UNIDENTIFIED SPEAKER: Does the counsel for
4 the city have any problem with that?

5 MS. KIFER ASSIAN: No, because that --

6 MS. MAGEL: In fact, we support it because
7 it advances the ball for us.

8 I mean, we're trying to get to the
9 point where we can basically clear the decks on
10 all of the procedural elements that go along
11 with superfund sites and everything else.

12 It's a huge step forward on the
13 residential sites. So we're very comfortable
14 with that.

15 MS. FREY: There was actually a newspaper
16 article I saw in the Daily Herald a couple weeks
17 ago that came out after we issued the proposed
18 plan that said West Chicago homes are free of
19 thorium.

20 And I was like no, that's not what we
21 said.

22 MS. KIFER ASSIAN: And the man who just
23 stepped out is the man who wrote that article.

24 MS. MAGEL: Sometimes, Becky, they just

1 don't get it.

2 MS. FREY: Okay.

3 MS. KIFER ASSIAN: They don't write all
4 their own headlines either.

5 MS. FREY: Yeah, I know.

6 MS. MAGEL: I cringed, too, when I saw
7 that.

8 MS. FREY: But that's not true; we're not
9 done yet.

10 MS. KIFER ASSIAN: No.

11 MS. FREY: But when we're done, then we're
12 done is kind of what we're saying.

13 MS. KIFER ASSIAN: But let me reiterate, in
14 the history of all of this -- and you've --
15 she's gone through it tonight and some of the
16 dates.

17 In the history of all of this, this is
18 a major milestone. This is a great thing. This
19 is worth celebrating.

20 Excuse me. But no, we have a long way
21 to go. But in the history of all this, not
22 much, a few more years, in the history of all
23 this, to make sure it's done right once and for
24 all to protect everybody's health, safely,

1 welfare and property values, and the image of
2 our city and everything to have this cloud
3 lifted from us.

4 I mean, I'm very excited about this.
5 So, I mean, please, you know, you have a right
6 to feel grateful about what has been
7 accomplished here.

8 MS. KIFER ASSIAN: Annette.

9 MS. JAEGER: Annette Jaeger.

10 I would like everybody to realize --
11 and some people might not -- that besides what
12 Nancy Assian just said that this is a milestone.
13 And EPA and Kerr-McGee and IDNS -- I mean, these
14 folks have really just killed themselves to get
15 to where we are.

16 We must all remember, however, that
17 this cleanup is the best cleanup that has ever
18 been done in this country.

19 We are the beacon in the whole United
20 States. People look toward West Chicago as a
21 guideline, as a measuring stick for the kind of
22 cleanup that they might want from EPA, from the
23 Federal -- in their communities.

24 So people have always -- you know,

1 they have called us, they have asked from the
2 East Coast how did you do this? How did TAG
3 accomplish that? And it's not just TAG, it's
4 TAG and just a whole cast of characters and
5 people that I'm not going to start naming here.

6 Becky has been on it for 12 years,
7 IDNS. We've all been on it.

8 But we must all remember that as a
9 community we've gotten the best cleanup that's
10 ever been done.

11 And for that -- I'm sorry, everybody
12 should go to the Sandpiper when it's all done.
13 We're all going to have pie.

14 It is really, really phenomenal. And
15 I'm really thrilled to death with the various
16 agencies and Rebecca's been great.

17 Not that the others haven't, but --
18 you know.

19 So we should all really be proud of
20 this. This is really good.

21 MS. KIFER ASSIAN: And especially of the
22 people of West Chicago.

23 You did that. Nobody -- these
24 agencies would not have all come together

1 without the knowledge that the people of West
2 Chicago stood up and stood up for themselves and
3 as Annette just said, set this -- insisted upon
4 a cleanup that was probably the best it's ever
5 been done -- this type of material and has set
6 the precedent for other cities like ours and
7 other people and environment.

8 I mean, you have done it. You have
9 done it by working with the entities and the
10 city and Kerr-McGee on this cleanup and by, you
11 know, EPA and IDNS and by working with these
12 entities toward this cleanup. You have all done
13 it. It couldn't have happened without you.

14 MS. FREY: Any other questions before we
15 get into the comment period?

16 (No response.)

17 MS. FREY: No?

18 UNIDENTIFIED SPEAKER: Let's get to the
19 nitty-gritty.

20 MS. FREY: Stuart, do you want to -- or do
21 you want me to just keep going?

22 MR. HILL: No, that's fine. You're doing
23 just great.

24 MS. FREY: Okay.

1 MR. HILL: The comments, of course, as
2 Rebecca indicated, they are simply that, they
3 are comments. They will not be responded to.
4 They will be responded to in writing as part of
5 the administrative record that goes with this
6 completed document.

7 But, you know, we take compliments as
8 well as criticism.

9 MS. FREY: So whatever you want to say. If
10 you want to say I support the proposed plan, I
11 think the proposed plan sticks, do this instead.
12 I mean, whatever.

13 MR. HILL: Please do.

14 MS. FREY: You can say whatever you want
15 and it will be recorded.

16 We'll respond to it in our response of
17 summary. We won't respond to it tonight.

18 So if you have any comments, I guess
19 identify yourself for the court reporter, then
20 say your comment and then we'll continue until
21 we're done.

22 MR. WELCH: Is this for the factory site
23 now or --

24 MS. FREY: No. This is for this

1 residential proposed plan.

2 MR. VAN WINKLE: It doesn't do us any good.

3 MR. WELCH: Will it be held later on this
4 evening or --

5 MR. VAN WINKLE: No, no.

6 MR. WELCH: Then what are we sitting here
7 for?

8 MR. VAN WINKLE: Good question, John.

9 MR. WELCH: I'm sorry, but I came to
10 address some issues that I have with the factory
11 site.

12 MS. FREY: If you want to -- Dave, are you
13 willing to stay a little after the meeting and
14 answer some questions?

15 MR. VAN WINKLE: We'll go to Dave and he
16 can --

17 MS. FREY: Or he can stop by.

18 MR. JEDLICKA: I'll come down the block
19 next week or tomorrow.

20 MS. FREY: Any comments?

21 MS. ZAHN: I would like to say that
22 everyone I have worked with, the EPA guys,
23 Kerr-McGee, any of them, have gone out of their
24 way to help and tried to understand my feelings.

1 My house was on stilts for three
2 months. No basement, no nothing. I was in
3 Batavia for three months.

4 And I couldn't have been treated any
5 better. Of course it was upsetting, but that
6 was part of it.

7 MS. FREY: Okay. Anybody other comments?

8 MS. KIFER ASSIAN: Well, for the record,
9 Nancy Kifer Assian, Fourth Ward alderman of West
10 Chicago and core member of the Thorium Action
11 Group.

12 Basically I just want to say that I
13 believe this is not only appropriate, but the
14 best proposed action, no further cleanup. And
15 yet it leaves contingency that the sites that
16 have been identified to be tested to get consent
17 and to be cleaned up will be completed and that
18 any new sites can be addressed through IDNS and
19 Kerr-McGee.

20 So I feel that this has been -- all
21 these entities have worked together, especially
22 the EPA, as kind of a lead entity on this in a
23 precedent-setting manner and that this proposed
24 action is justified.

1 And I, as a city official and a member
2 of the Thorium Action Group, have all confidence
3 that this has accomplished and will be
4 accomplishing exactly the kind of cleanup that
5 the people of West Chicago deserve.

6 MS. FREY: Thank you.

7 Any other comments?

8 (No response.)

9 MS. FREY: You can also submit comments in
10 writing later on if you'd like.

11 MR. KASIEWICZ: Mike Kasiewicz, Thorium
12 Action Group.

13 I think it would be a good idea to go
14 ahead and write the record up, a decision on
15 this, and go ahead and move forward. One more
16 chapter closed, you know.

17 To echo the lady's sentiments over
18 there, Becky, I'm glad you're on our side. You
19 worked really hard for us and you will continue
20 to do so. And sometimes it doesn't seem like we
21 appreciate it, but we really do. And we're
22 going to have one heck of a party soon.

23 Thank you.

24 MS. FREY: Any other comments?

1 (No response.)

2 MS. FREY: Okay. Well, I guess we'll wrap
3 it up -- wrap the meeting up.

4 Thank you all for coming. If anyone
5 wants to, you know, informally ask me anything
6 later, I'll hang around for a while. Thank you.

7
8 (WHICH were all of the
9 proceedings had at the
10 hearing of the above-
11 entitled cause, this date
12 and time aforesaid.)

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1 STATE OF ILLINOIS)
) SS.

2 COUNTY OF DU PAGE)

3 I, Linda Shaner Day, Certified
4 Shorthand Reporter, a Notary Public in and for
5 the County of DuPage, State of Illinois, hereby
6 certify that the above and foregoing was reduced
7 to writing by means of shorthand and thereafter
8 transcribed into typewritten form; and that it
9 is a true, correct, and complete transcript of
10 my shorthand notes so taken as aforesaid.

11 IN TESTIMONY WHEREOF I have hereunto
12 set my hand and affixed my notarial seal this
13 12th day of August, A.D. 2003.

14

15

16

17

18

-----*Linda Shaner Day*-----

Notary Public

19

and

Certified Shorthand Reporter

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084-002621

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